

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)

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Attorneys for Secured Creditor  
Ditech Financial LLC



Order Filed on November 20, 2018  
by Clerk  
U.S. Bankruptcy Court  
District of New Jersey

In Re:

Joao Gomes aka John Gomes  
Dilma Gomes

Debtors.

Case No.: 18-21665 MBK

Adv. No.:

Hearing Date: 10/23/18 @ 9:00 a.m.

Judge: Michael B. Kaplan

**ORDER CURING POST-PETITION ARREARS & RESOLVING MOTION FOR  
RELIEF FROM STAY**

The relief set forth on the following pages, numbered two (2) through three (3) is hereby  
**ORDERED.**

**DATED: November 20, 2018**

A handwritten signature of Michael B. Kaplan in black ink, written over a horizontal line.  
Honorable Michael B. Kaplan  
United States Bankruptcy Judge

**(Page 2)**

Debtor: Joao Gomes aka John Gomes

Case No: 18-21665 MBK

Caption of Order: ORDER CURING POST-PETITION ARREARS & RESOLVING MOTION FOR RELIEF FROM STAY

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This matter having been brought before the Court by KML Law Group, P.C., attorneys for Secured Creditor, Ditech Financial LLC, Denise Carlon, Esq. appearing, upon a motion to vacate the automatic stay as to real property located at 40 Nathan Drive, Old Bridge, NJ, 08857, and it appearing that notice of said motion was properly served upon all parties concerned, and this Court having considered the representations of attorneys for Secured Creditor and James J. Cerbone, Esq., attorney for Debtor, and for good cause having been shown

It is **ORDERED, ADJUDGED and DECREED** that as of November 8, 2018, Debtor is in arrears outside of the Chapter 13 Plan to Secured Creditor for payments due August 2018 through November 2018 for a total post-petition default of \$8,882.60 (4 @ \$2,949.95 less \$2,917.20 in suspense); and

It is further **ORDERED, ADJUDGED and DECREED** that the balance of the arrears in the amount of \$8,882.60 will be paid by Debtor remitting \$1,480.00 per month for five months and \$1,482.60 for one month in addition to the regular monthly mortgage payment, which additional payments shall begin on December 1, 2018 and continue for a period of six months until the post-petition arrears are cured; and

It is further **ORDERED, ADJUDGED and DECREED** that regular mortgage payments are to resume December 1, 2018, directly to Secured Creditor's servicer, Ditech Financial LLC, P.O. Box 94710 Palatine IL 60094 (Note: the amount of the monthly mortgage payment is subject to change according to the terms of the note and mortgage); and

It is further **ORDERED, ADJUDGED and DECREED** that for the Duration of Debtor's Chapter 13 bankruptcy proceeding, if the lump sum payment or any regular monthly mortgage payments are not made within thirty (30) days of the date said payment is due, Secured Creditor may obtain an Order Vacating Automatic Stay as to Real Property by submitting a Certification of Default to the Court indicating such payment is more than thirty days late, and Debtor shall have fourteen days to respond; and

It is further **ORDERED, ADJUDGED and DECREED** that a copy of any such application, supporting certification, and proposed Order must be served on the Trustee, Debtor, and Debtor's counsel at the time of submission to the Court; and

It is further **ORDERED, ADJUDGED and DECREED** that Secured Creditor is hereby awarded reimbursement of fees and costs in the sum of \$350.00 for attorneys' fees and \$181.00 for filing fees, totaling \$531.00, which is to be paid through Debtors' Chapter 13 plan; and

**Certificate of Notice Page 3 of 3**  
United States Bankruptcy Court  
District of New Jersey

In re:  
Joao Gomes  
Dilma Gomes  
Debtors

Case No. 18-21665-MBK  
Chapter 13

**CERTIFICATE OF NOTICE**

District/off: 0312-3

User: admin  
Form ID: pdf903

Page 1 of 1  
Total Noticed: 1

Date Rcvd: Nov 21, 2018

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Nov 23, 2018.

db/jdb +Joao Gomes, Dilma Gomes, 40 Nathan Drive, Old Bridge, NJ 08857-2790

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.  
NONE. TOTAL: 0

\*\*\*\*\* BYPASSED RECIPIENTS \*\*\*\*\*

NONE. TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Nov 23, 2018

Signature: /s/Joseph Speetjens

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**CM/ECF NOTICE OF ELECTRONIC FILING**

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on November 21, 2018 at the address(es) listed below:

Albert Russo docs@russotrustee.com  
Denise E. Carlon on behalf of Creditor Ditech Financial LLC dcarlon@kmlawgroup.com,  
bkgroup@kmlawgroup.com  
Elizabeth K. Holdren on behalf of Creditor Oakwoode Association eholdren@hillwallack.com,  
jhanley@hillwallack.com  
James J. Cerbone on behalf of Debtor Joao Gomes cerbonelawfirm@aol.com,  
cerbonejr83307@notify.bestcase.com  
James J. Cerbone on behalf of Joint Debtor Dilma Gomes cerbonelawfirm@aol.com,  
cerbonejr83307@notify.bestcase.com  
Joel R. Glucksman on behalf of Creditor Old Bridge Municipal Utilities Authority  
jglucksman@sh-law.com  
John R. Morton, Jr. on behalf of Creditor CAB East LLC, serviced by Ford Motor Credit Company  
LLC ecfmail@mortoncraig.com, mortoncraigecf@gmail.com  
John R. Morton, Jr. on behalf of Creditor ACAR Leasing LTD d/b/a GM Financial Leasing  
ecfmail@mortoncraig.com, mortoncraigecf@gmail.com  
Michael R. DuPont on behalf of Creditor United Teletech Financial FCU dupont@redbanklaw.com,  
dana@redbanklaw.com  
Rebecca Ann Solarz on behalf of Creditor Ditech Financial LLC rsolarz@kmlawgroup.com  
U.S. Trustee USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 11